## UNITED STATES PATENT AND TRADEMARK OFFICE

## BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

MAILED

IIII **2 0** 2005

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES Ex parte THOMAS E. BROCKLEY and JAMES L. BROCKLEY

Application No. 09/783,366

## ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on June 17, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

The Examiner's Answer mailed July 16, 2004 is defective because the grounds of rejections are not stated in the Examiner's Answer. This is needed to process the case. Appropriate correction is required.

Application No. 09/810,943

Accordingly, it is

ORDERED that the application is returned to the Examiner to state the grounds of rejections, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS AND INTERFERENCES

Rv.

Craig R. Feinberg A

Program and Resource Administrator

(571) 272-9797

cc: Nicholas Mesiti, Esq. Heslin & Rothenberg, P.C. 5 Columbia Circle

Albany, NY 12203

CRF/eld